

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE-OPELOUSAS DIVISION**

BERNHARD MECHANICAL
CONTRACTORS, INC.

CIVIL ACTION NO. 6:04-0439

VERSUS

JUDGE DONALD E. WALTER

ST. PAUL COMPANIES

MAGISTRATE JUDGE HILL

O R D E R

Before this Court is a Motion to Certify a Rule 54(b) Judgment [Doc. #312] filed on behalf of plaintiff, Bernhard Mechanical Contractors, Inc. ("BMC"), wherein plaintiff asks the Court to certify the Judgment entered in this case on August 24, 2007, as a final appealable judgment under Federal Rule of Civil Procedure 54(b).

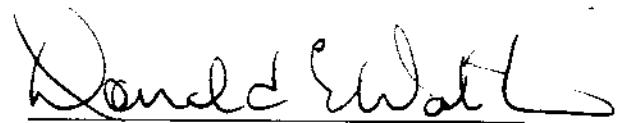
Rule 54(b) provides, in pertinent part, that:

When more than one claim for relief is presented in an action, whether as a claim, counterclaim, cross-claim, or third-party claim . . . the court may direct the entry of a final judgment as to one or more but fewer than all of the claims . . . only upon an express determination that there is no just reason for delay and upon an express direction for the entry of judgment.

This Court finds that the judgment entered on August 24, 2007, in the above-captioned matter [Doc. #310] is a "final judgment" in that it is "an ultimate disposition of an individual claim", that being the claim of BMC, "entered in the course of a multiple claims action." Sears, Roebuck & Co. v. Mackey, 351 U.S. 427, 436, 76 S.Ct. 895, 100 L.Ed. 1297 (1956). Further, there is no just reason for delay of the appeal of that Judgment.

Accordingly, **IT IS ORDERED** that plaintiff's Motion to Certify a Rule 54(b) Judgment [Doc. #312] be and is hereby **GRANTED**.

THUS DONE AND SIGNED, in Shreveport, Louisiana, this 17 day of October, 2007.


DONALD E. WALTER
UNITED STATES DISTRICT JUDGE